

CPC Minutes of October 16, 2012

A regular meeting of the City Plan Commission (CPC) was held on Tuesday, October 16, 2012 at 4:45 p.m. in the Department of the Planning and Development (DPD) 1st Floor Meeting Room, 444 Westminster Street, Providence, Rhode Island.

Opening Session

Call to order: Chairman Durkee called the meeting to order at 4:46 p.m.

Members Present: Chairman Stephen Durkee, Meredyth Church, Harrison Bilodeau Christine West and JoAnn Ryan

Members Absent: Ina Anderson

Staff Present: Robert Azar and Choyon Manjrekar

Approval of meeting minutes from September 18th 2012: Ms. Ryan made a motion seconded by Mr. Bilodeau to approve the minutes. All voted in favor.

MAJOR SUBDIVISION

1. Case No. 10-011MA – Preliminary Plan Approval for Subdivision of land from the relocation of Interstate 195 - PUBLIC HEARING

The public hearing will provide information to the public and receive public comment as part of the Commission's review of a proposed major subdivision. This proposal consists of subdividing land within the State's right-of-way along the Interstate 195 corridor where the highway was removed. The corridor extends from Interstate 95 northeast north of Clifford Street, then continuing east, crossing Chestnut, Richmond and Dyer Streets, to the west bank of the Providence River. The land also extends from the east bank of the Providence River at James Street, southerly until reaching Interstate 195 at Tockwotton Street. – for action (Downtown and Fox Point)

Mr. Azar introduced the project, which would create new lots and some new streets. He said the CPC had reviewed and approved the master plan. The I-195 Commission would be acting as the planning board for the parcels but the CPC would complete the subdivision process as there were regulations in place for subdivision.

Annette Jacques, attorney for the Rhode Island Department of Transportation (RI DOT) and Mr. Rob Stolzman, attorney for the I-195 Commission, introduced the project along with Mr. David Freeman of the Maguire group who conducted the subdivision. Ms. Jacques said the RI DOT would transfer the existing parcels to the I-195 Commission and will construct the newly constructed City Streets and extend existing ones. Mr. Azar said the streets would be part of the City and would not be retained by the RI DOT. A discussion on the conveyance of streets ensued.

Mr. Stolzman used a color coded plan to explain the subdivision. He said the tan parcels would be handed over to the I-195 Commission, the light green parcels would be designated as parkland and the blue parcels would be conveyed to Johnson and Wales University. Mr. Stolzman submitted a document with facts about use and ownership of the parcels and streets. He said there were 2.5 miles of streets within the district, 27.2 acres of land and improvements like 20,000 linear feet of new curbing, 340 new street trees, 80 new street lights, 5,000 feet of water main, 10,000 feet of new storm drain, 1,200 feet of new sewers and 185 new manholes and catch basins. He said it was important to work with the DPW due to the large infrastructure addition.

Mr. Stolzman used maps to explain that the layout of the subdivision and development was required to conform to the Zoning Ordinance and the Comprehensive Plan. Ms. West asked what the procedure for further subdivision of the parcels would be. Mr. Azar said it would come before the I-195 Commission for as long as they were in existence. A discussion on subdivision of parcels ensued. Mr. Stolzman said a pedestrian bridge would be built to

connect to Eastside and Westside parks. Ms. West said that she would like to see some flexibility regarding the subdivision of parcels to address scale and feasibility. She said she would like to see the roads designed to accommodate pedestrians and cyclists in addition to motor vehicles. Mr. Stolzman said the Zoning Ordinance addressed issues like walkability and mixed use. Mr. Bilodeau asked about maintenance of the lots before they were handed over to the I-195 Commission. Mr. Stolzman said the I-195 Commission would address parcel maintenance. Ms. Church asked what entity will oversee sale of the parcels. Mr. Stolzman said the I-195 Commission would be responsible. She asked if the pedestrian bridge would have vendors. Mr. Azar said it was a possibility but no decision had been made. Mr. Durkee asked how many acres of streets were in the subdivision. Mr. Freeman said there were about 10 acres. Mr. Durkee said he felt 8 foot sidewalks shown on the plan were too narrow in some areas. Mr. Freeman said streets could be widened at certain places if approved by the I-195 Commission and the CPC. Mr. Durkee said the applicant should seek the opinion of the Providence Bicycle and Pedestrian Advisory Commission (PBAC). A discussion on street trees and sidewalk grates ensued.

Mr. Azar asked for public comment. Peter Alviti representing the building at 410 South Main Street said he was informed that the sidewalk would be rebuilt to City standards and utilities would be rerouted underground. He asked if that was still the case. Mr. Freeman said it would be the case. A representative from the Beneficent house said that the City should move their offices to the I-195 land. Mr. Durkee asked how one would go west on Point Street from India Street. Mr. Freeman said one would have to turn right on South Main Street and turn left. A discussion on vehicle movement ensued. Ms. West asked why Pike street was not continued past the exit ramp. Mr. Freeman said it was due to the speed of traffic coming off the ramp.

Mr. Azar read from the staff report and found the subdivision to be in conformance with the Zoning Ordinance and Comprehensive Plan in addition to dimensional standards. He said that the CPC should approve the subdivision subject to the applicant submitting deed descriptions for each parcel, that the construction of streets follow City and State guidelines and that final plan approval be delegated to DPD staff. Mr. Durkee said that there should be 12 foot sidewalks on Dyer and South Main Streets. Ms. West said that the applicant should seek the opinion of the PBAC prior to final plan approval. Mr. Tom Donovan asked if Clifford and Friendship Street would be continued. Mr. Azar said Clifford and Friendship Street would be continuous from the service road to Dyer Street.

Ms. West made a motion seconded by Mr. Bilodeau to approve the preliminary plan subject to the findings of fact, the conditions in the staff report and the conditions made by the CPC. All voted in favor.

CITY COUNCIL REFERRAL

2. City Council Referral 3357 – Petition for zone change from C-2 to M-1 at 103 Dike Street

Petition to rezone the property at 103 Dike Street from C-2 to M-1 – for action (Olneyville, AP 105 Lot 489)

Mr. Azar introduced the proposal to rezone the subject parcel from C-2 to M-1. Mr. Azar said that building on the lot is used as a nightclub and was granted a special use permit for a one year probationary period. The Zoning Ordinance had since changed, prohibiting nightclubs in the C-2 zone. Mr. Azar said expiration of the special use permit would mean that the club would be out of business. The rezoning would allow the club to operate by incorporating it into the adjacent M-1 zone. Mr. Azar said that Councilwoman Matos, who wrote a letter in support of the change, said that adult entertainment should not be permitted if the change were approved.

Mr. Lenny Lopes said the club did not have any intentions of having adult entertainment.

Ms. Ryan made a motion seconded by Ms. Church to make a positive recommendation to the City Council with the condition that no adult entertainment be permitted on site. All voted in favor.

3. City Council Referral 3358 – Petition to extend the I-3 overlay district

Petition to extend the I-3 overlay district to include 1 Cookson Place/33 Broad Street – for action (Downtown, AP 24 Lot 626)

Mr. Azar introduced the project to include the subject property within the I-3 overlay district. Mr. Azar said that buildings across the street were under the I-3 overlay, which would only be moved a block to accommodate the request. Mr. Azar said the change would allow the building to conduct University related functions like classes. Mr. Garrahy, on behalf of the applicant, said that the I-3 overlay wrapped around the building and it would make sense to include it within the overlay. He requested that the CPC make a positive recommendation to the City Council.

Mr. Bilodeau asked if the taxpaying status of the building would be affected if it were under the I-3 overlay. Mr. Durkee said the building was privately owned and would pay taxes, but would be tax exempt if bought by the University. A discussion on taxation ensued.

Mr. Bilodeau made a motion seconded by Ms. Church to make a positive recommendation to the City Council. All voted in favor.

MINOR SUBDIVISION

4. Case No. 12-045MI – 475 Valley Street

The applicant is seeking preliminary plan approval to divide the existing lot into three lots – for action (Valley, AP 27 Lot 263)

Mr. Manjrekar introduced the approval to subdivide the lot into 3 lots. Mr. Barnaby Evans said the subdivision was being requested because the applicant was applying for a brownfield cleanup grant and wanted to spread the funding across the entire site. Ms. West said the subdivision may cause some building issues. Mr. Evans said he intended to merge the lots in the future.

Ms. West made a motion seconded by Ms. Ryan to approve the subdivision. All voted in favor.

Adjournment

Mr. Bilodeau made a motion seconded by Ms. Ryan to adjourn the meeting. All voted in favor. The meeting adjourned at 5:57 pm.

Respectfully Submitted,



Choyon Manjrekar,

Recording Secretary